

SINGLE BENCH

CF-4501

(2) (4)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 990/07/2006

WRIT PETITION U/A 226 OF THE CONSTITUTION OF INDIA,

PETITIONERS

P.A. NO. 1268/07
Presented by Shri P.K. Majumdar
dated 31/12/07

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1. Dashrath Ram Nag, aged about 34 years, son of Shri Bvhausaram Nag, Assistant Teacher, Government Tribal Primary School, Samdura, Bagicha, Distt. Jashpur (CG) (sl.no. 14 of Anne P-1 dt. 20.10.93)
2. Hulas Ram Banjare, aged about 36 years, son of Dilip Ram Banjare, Assistant Teacher, Government Tribal Primary School Sikhardand, Bagicha, Distt. Jashpur (CG) (SL.NO. 02 of P-1, dt. 31.12.93)
3. Smt. Damyanti Ekka, aged about 38 years, wife of Alvis Ekka, Assistant Teacher, Government Tribal Girsl Ashram Bagicha, Bagicha, Distt. Jashpur (CG) (sl.no.38 of Annexure P-1 dt. 30.11.94)
4. Smt. Ursela Toppo, aged about 35 years, daughter



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of Shri Johan Ekka,
Assistant Teacher,
Government Tribal Purani
Basti, Pathalgaon Distt.
Jashpur (CG) dt S.N. 133

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through -
Secretary, Department of Tribal
Welfare, Dau Kalyan Singh
Bhawan, Raipur (C.G.)
2. The Assistant Commissioner,
Tribal Welfare Distt. Jashpur
(C.G.)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 990 of 2007

Petitioners : Dashrath Ram Nag and others
Versus
Respondents : State of Chhattisgarh and another

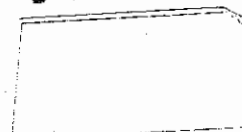
SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Present: Mr. A.N. Bhakta, Advocate for the petitioners.
Ms. Sunita Jain, Panel Lawyer for the State/respondents.

ORDER

(Passed on this 21st Day of February, 2007)

1. The petitioners were appointed in the year 1992 as Assistant Teachers on fixed pay scale of Rs. 1200/-. After completion of their probation, they were granted regular pay scale.
2. Learned counsel appearing for the petitioners submits that the issue involved in the case is asto whether, the petitioners are entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period.
3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court. The appeal was dismissed by the Hon'ble Supreme Court upholding the decision



of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

4. Learned counsel appearing for the petitioners further submits that this Court, while considering the same issue in Rakesh Kumar Sharma & another Vs. State of Chhattisgarh & others (W.P. (S) No. 5473 of 2006) by order dated 09-10-2006, has granted regular pay scale w.e.f. the date of initial appointment.
5. Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of Rakesh Kumar Sharma & another Vs. State of Chhattisgarh & others (Supra).
6. In view of that this petition is disposed of in the same terms. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge